

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Namsaraev

Serial No: 10/676,933

Filing Date: September 30, 2003

Title: **Polynucleotide synthesis and labeling by kinetic sampling ligation**

Examiner: Guidry

Unit No.: 1636

Attorney Docket No. 4011.2

Confirmation No.: 7872

Commissioner for Patent
P.O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the October 2, 2006 Restriction Requirement, the Examiner is requiring an election between the following groups of claims:

- I. Claims 1-14, drawn to a method of constructing a product polynucleotide using populations of truncate-containing oligonucleotide synthesis products.
- II. Claim 15, drawn to a method of constructing at least one product polynucleotide wherein the scaffold does not provide complementary nucleotides along substantially the first or second oligonucleotide.
- III. Claims 16-31, drawn to a method of appending at least one extending oligonucleotide to an end of a single-stranded polynucleotide.
- IV. Claims 32-33, drawn to kits for labeling oligonucleotides.

- V. Claim 34, drawn to a method of ligating a first oligonucleotide to a second oligonucleotide.

Applicants elect the invention of Group I (claims 1-14) without traverse. Applicants reserve the right to re-present non-elected claims in a divisional, or other related application.

Respectfully submitted,

/Sandra E. Wells /
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Date: November 2, 2006

Customer Number 22886